

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI, INC.,
OPENAI LP, OPENAI GP, LLC, OPENAI, LLC,
OPENAI OPCO LLC, OPENAI GLOBAL LLC,
OAI CORPORATION, LLC, and OPENAI
HOLDINGS, LLC,

Defendants.

Case No. 1:23-cv-11195-SHS-OTW

The New York Times Company's Motion for Leave to File Under Seal

Under paragraph 22 of the Stipulated Protective Order in this case (Dkt. 127), Plaintiff, The New York Times Company ("The Times"), respectfully seeks to provisionally file under seal a portion of its letter motion to compel, as well as the attached exhibits. The letter motion seeks a conference to discuss a discovery dispute—specifically, The Times's request for OpenAI to apply additional search terms to its custodians' ESI. The Times seeks to file portions of this letter motion under seal because the motion discusses documents that Defendants designated as Protected Discovery Material under the Protective Order. Dkt. 127 ¶ 22. The letter motion also attaches copies of these documents as exhibits. The Times does not affirmatively seek to seal any portion of this letter motion, nor any portion of any exhibit. Under the Protective Order, Defendants have five business days to file a statement of reasons for why the material should be sealed. *Id.* The Times will review Defendants' filings, and if necessary, confer about any disagreement.

Dated: August 27, 2024

Respectfully Submitted,

/s/ Ian Crosby

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